

AMENDMENTS TO THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

1. (Currently Amended) A method for performing a netting analysis of a netting agreement, the method comprising:

receiving netting agreement information, said netting agreement information identifying a party, ~~and a counterparty, and at least one term and fact governing said netting agreement,~~ the at least one term and fact of said netting agreement including at least one of: a form of agreement, a governing law, a country of organization, a state or province of organization, a legal structure, an industry code, automatic early termination language, a parent company country of organization, a parent company legal structure, and an automatic early termination payment;

comparing said at least one term and fact governing said netting agreement information with a netting rule that applies to the netting agreement; and

generating a netting determination indicative of an ability of the party and counterparty to net under said netting agreement ~~a usefulness of said netting agreement~~ based, at least in part, on a result of said comparing.

2. (Previously Presented) The method of claim 1, further comprising:

identifying a list of issues to evaluate for said netting agreement.

3. (Previously Presented) The method of claim 2, wherein said netting rule is selected based at least in part on a first issue and said netting agreement information.

4. (Original) The method of claim 1, further comprising:

forwarding said netting determination to an agreement database.

5. (Original) The method of claim 1, further comprising:

forwarding said netting determination to a credit database; and

updating a net credit amount associated with said counterparty and said party in said credit database.

6. (Original) The method of claim 1, further comprising:

forwarding said netting determination to a FASB database; and

updating a netting amount associated with said counterparty and said party in said FASB database.

7. (Cancel)

8. (Previously Presented) The method of claim 1, further comprising identifying at least a first issue to evaluate for said netting agreement.

9. (Previously Presented) The method of claim 6, further comprising identifying netting agreement information associated with said at least first issue to evaluate, and wherein said at least first netting rule is associated with said at least first issue, said rule identified at least in part on said netting agreement information; and applying said at least first netting rule to said netting agreement information to arrive at a netting determination for said at least first issue.

10. (Currently Amended) A method for performing a netting analysis of a netting agreement, the method comprising:

identifying fact data associated with said netting agreement, said fact data including data identifying a contracting entity and data identifying a counterparty;

identifying a default set of issues associated with said netting agreement;

identifying fact data governing said netting agreement and associated with a first issue, said fact data including at least one of: a form of agreement, a governing law, a country of organization, a state or province of organization, a legal structure, an industry code, automatic early termination language, a parent company country of organization, a parent company legal structure, and an automatic early termination payment;

applying a netting rule to said fact data, said netting rule selected based at least in part on said first issue; and

generating a netting determination based at least in part on said application of said netting rule and indicative of a usefulness of an ability of the party and counterparty to net under said netting agreement.

11. (Original) The method of claim 10, further comprising:

identifying fact data associated with a second issue;

applying a second netting rule to said fact data, said second netting rule selected based at least in part on said second issue; and

generating a netting determination based at least in part on said application of said netting rule and said second netting rule.

12. (Original) The method of claim 11, further comprising:

identifying fact data associated with a third issue;

establishing a new netting rule based at least in part on said fact data and said third issue;

applying said new netting rule to said fact data;

generating a netting determination based at least in part on said application of said netting rule and said new netting rule.

13. (Previously Presented) The method of claim 10, further comprising:

calculating a new netting position between said contracting entity and said counterparty based on said netting agreement and a prior netting position.

14. (Original) The method of claim 13, further comprising:

updating a credit database based on said new netting position.

15. (Original) The method of claim 13, further comprising:

updating a FASB database based on said new netting position.

16. (Canceled)

17. (Currently Amended) An apparatus for performing netting analysis of counterparty netting agreements, comprising:

a processor;

a communications device in communication with said processor, receiving counterparty agreement data; and

a memory unit in communication with said processor and storing a program, wherein the processor is operative with said program to

identifying, from said counterparty netting agreement data, a party, ~~and a counterparty to said counterparty netting agreement,~~ and at least one term and fact

governing said counterparty netting agreement, the at least one term and fact of said counterparty netting agreement including at least one of: a form of agreement, a governing law, a country of organization, a state or province of organization, a legal structure, an industry code, automatic early termination language, a parent company country of organization, a parent company legal structure, and an automatic early termination payment;

comparing said at least one term and fact governing said netting counterparty netting agreement data with a netting rule that applies to said counterparty netting agreement; and

generating a netting determination for said counterparty netting agreement based at least in part on a result of said comparing and indicative of an ability of the party and counterparty to net under said counterparty netting agreement ~~a usefulness of said netting agreement.~~

18. (Currently Amended) A computer-operated method for performing a netting analysis of a netting agreement, the method comprising:

identifying fact data associated with said netting agreement, said fact data including data identifying a contracting entity and data identifying a counterparty;

identifying a default set of issues associated with said netting agreement;

identifying fact data governing said netting agreement and associated with a first issue, said fact data including at least one of: a form of agreement, a governing law, a country of organization, a state or province of organization, a legal structure, an industry code, automatic early termination language, a parent company country of organization, a parent company legal structure, and an automatic early termination payment;

applying a netting rule to said fact data, said netting rule selected based at least in part on said first issue; and

generating a netting determination based at least in part on said application of said netting rule and indicative of an ability of the party and counterparty to net under said netting agreement.

19. (Original) The method of claim 18, further comprising a medium storing processor-executable code to perform each of said steps.